

EXHIBIT D

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TRAVIS MOREDA DAIRY and TRAVIS MOREDA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CALIFORNIANS FOR ALTERNATIVES TO
TOXICS,

Plaintiff,

vs.

TRAVIS MOREDA DAIRY and TRAVIS
MOREDA,

Defendants.

Case No. 3:24-CV-06632-SI

[Assigned for All Purposes to the Honorable
Susan Illston, Department 1]

**DEFENDANTS' RESPONSES TO
PLAINTIFF'S REQUESTS FOR
PRODUCTION, SET ONE**

Complaint Filed: September 20, 2024

**PROPOUNDING PARTY: Plaintiff CALIFORNIANS FOR ALTERNATIVES TO
TOXICS**

**RESPONDING PARTIES: Defendants TRAVIS MOREDA DAIRY and TRAVIS
MOREDA**

SET NUMBER: ONE

1 Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Defendants TRAVIS
2 MOREDA DAIRY and TRAVIS MOREDA (“Travis”), hereby submits these objections and
3 responses to the Requests for Production, Set One, of CALIFORNIANS FOR ALTERNATIVES
4 TO TOXICS (“Plaintiff”), as follows:

5 **PRELIMINARY STATEMENT**

6 Nothing in this response should be construed as an admission by Travis with respect to the
7 admissibility or relevance of any fact or document, or of the truth or accuracy of any
8 characterization or statement of any kind contained in Plaintiff’s Requests for Production of
9 Documents, Set One. Travis has not fully completed his discovery and investigation of the facts
10 relating to this case and has not completed preparation for trial. The responses contained herein
11 are based only upon such information and documents which are currently available, and
12 specifically known, to Travis. Travis responds based only on those contentions and information
13 which are presently known.

14 It is anticipated that further discovery, independent investigation, legal research, and
15 analysis may supply additional facts, add meaning to known facts, and establish entirely new
16 factual conclusions and legal contentions, all of which may lead to substantial additions to, changes
17 in, and variations from the responses set forth herein.

18 The following objections and responses are given without prejudice to Travis’ right to
19 produce evidence at trial, or otherwise, regarding any subsequently discovered facts or information.
20 Travis reserves the right to modify and amend any and all responses herein as additional facts are
21 ascertained, as analysis and contentions are made, or as research is completed.

22 **OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS**

23 Travis objects to the instructions that Travis “label [documents] with the categories in the
24 request” and “answer[] separately and fully in writing under oath” as unintelligible, vague,
25 ambiguous, and not reasonably subject to objective interpretation.

26 Travis further objects to the Definitions to the extent they purport to encompass information
27 and documents not reasonable and proportional to the needs of the case.

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RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS

REQUEST NO. 1:

Any and all DOCUMENTS identified in your responses to PLAINTIFF's First Set of Interrogatories, served herewith.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

Travis incorporates his Preliminary Statement and Objections to Instructions and Definitions as if fully set forth herein. Travis further objects that this Request is overbroad, unduly burdensome, and disproportionate to the needs of the case.

Subject to and without waiving the foregoing objections, and after performing a reasonable inquiry and diligent search, Travis responds as follows: See the documents previously produced as TMD_000001 through TMD_000141, TMD_000145 through TMD_000169, and PLF000024 though PLF000028. Discovery is ongoing and Travis reserves the right to amend or supplement this response.

REQUEST NO. 2:

All DOCUMENTS that refer or relate to the number and type of animals (including mature dairy cows, heifers, calves, or other livestock) confined at the FACILITY at any time from July 11, 2019, to the present.

RESPONSE TO REQUEST FOR PRODUCTION NO. 2:

Travis incorporates his Preliminary Statement and Objections to Instructions and Definitions as if fully set forth herein. Travis further objects that this Request, including but not limited to its stated time period, is overbroad, unduly burdensome, and disproportionate to the needs of the case. Travis further objects to the term "confined" as vague and ambiguous.

Subject to and without waiving the foregoing objections, and after performing a reasonable inquiry and diligent search, Travis responds as follows: See the documents previously produced as TMD_000001 through TMD_000125. Discovery is ongoing and Travis reserves the right to amend or supplement this response.

REQUEST NO. 3:

All maps, schematics, diagrams, or aerial images of the FACILITY that IDENTIFY the

1 locations of barns, corrals, retention basins, STORM WATER CONVEYANCES, surface waters, and
2 STORM DRAINS.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

4 Travis incorporates his Preliminary Statement and Objections to Instructions and
5 Definitions as if fully set forth herein. Travis further objects that this Request is overbroad, unduly
6 burdensome, and disproportionate to the needs of the case. Travis further objects that documents
7 sufficient to respond to this Request are already in the possession, custody or control of Plaintiff,
8 including its illegal drone footage of Travis' dairy.

9 Subject to and without waiving the foregoing objections, and after performing a reasonable
10 inquiry and diligent search, Travis responds as follows: See the documents previously produced as
11 TMD_000020 through TMD_000125 and TMD_000129 through TMD_000141. Discovery is
12 ongoing and Travis reserves the right to amend or supplement this response.

13 **REQUEST NO. 4:**

14 All DOCUMENTS that IDENTIFY the design capacity, operational capacity, and freeboard
15 calculations for each retention basin or lagoon at the FACILITY from July 11, 2019, to the present.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:**

17 Travis incorporates his Preliminary Statement and Objections to Instructions and
18 Definitions as if fully set forth herein. Travis further objects that this Request, including but not
19 limited to its stated time period, is overbroad, unduly burdensome, and disproportionate to the
20 needs of the case. Travis further objects that documents sufficient to respond to this Request are
21 equally available to or already in the possession, custody or control of Plaintiff, including
22 documents already produced in this action.

23 Subject to and without waiving the foregoing objections, and after performing a reasonable
24 inquiry and diligent search, Travis responds as follows: Se the document previously produced as
25 TMD_000020 through TMD_000125. Discovery is ongoing and Travis reserves the right to amend
26 or supplement this response.

27 **REQUEST NO. 5:**

28 All DOCUMENTS, including but not limited to application logs or field records, that

1 IDENTIFY each instance of land application of manure, wastewater, or other POLLUTANTS at or
2 near the FACILITY from July 11, 2019, to the present, including the volume, method of application,
3 location, and date.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 5:**

5 Travis incorporates his Preliminary Statement and Objections to Instructions and
6 Definitions as if fully set forth herein. Travis further objects that this Request, including but not
7 limited to its stated time period, is overbroad, unduly burdensome, and disproportionate to the
8 needs of the case. Travis further objects that documents sufficient to respond to this Request are
9 equally available to or already in the possession, custody or control of Plaintiff, including
10 documents already produced in this action. Travis further objects to the terms “application logs,”
11 “field records,” and “method of application” as vague and ambiguous.

12 Subject to and without waiving the foregoing objections, and after performing a reasonable
13 inquiry and diligent search, Travis responds as follows: See the document previously produced as
14 TMD_000020 through TMD_000125. Discovery is ongoing and Travis reserves the right to amend
15 or supplement this response.

16 **REQUEST NO. 6:**

17 All DOCUMENTS that IDENTIFY any actual or potential DISCHARGE of manure,
18 wastewater, STORM WATER, or other POLLUTANTS from the FACILITY, including those
19 occurring on or around February 1, 2024, February 10, 2024, or any SIGNIFICANT RAIN EVENT as
20 listed in Exhibit 1 to the Complaint.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 6**

22 Travis incorporates his Preliminary Statement and Objections to Instructions and
23 Definitions as if fully set forth herein. Travis further objects that this Request is overbroad, unduly
24 burdensome, and disproportionate to the needs of the case to the extent it encompasses matters
25 going well beyond the issues alleged in the operative Complaint, including “potential
26 DISCHARGE[s]” that are not relevant to any party’s claims or defenses.

27 Subject to and without waiving the foregoing objections, Travis responds as follows: Travis
28 has performed a reasonable inquiry and diligent search and has identified no documents responsive

1 to this Request. Discovery is ongoing and Travis reserves the right to amend or supplement this
2 response.

3 **REQUEST NO. 7:**

4 All communications, inspection reports, enforcement correspondence, or other DOCUMENTS
5 exchanged between YOU and the REGIONAL BOARD, STATE BOARD, or EPA concerning
6 compliance with the CLEAN WATER ACT, or NPDES permitting from July 11, 2019, to the present.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 7:**

8 Travis incorporates his Preliminary Statement and Objections to Instructions and
9 Definitions as if fully set forth herein. Travis further objects that this Request, including but not
10 limited to its stated time period, is overbroad, unduly burdensome, and disproportionate to the
11 needs of the case. Travis further objects that documents sufficient to respond to this Request are
12 equally available to or already in the possession, custody or control of Plaintiff, including
13 documents already produced in this action. Travis further objects to the terms “communications,”
14 “inspection reports,” “enforcement correspondence,” and “STATE BOARD” as vague and
15 ambiguous.

16 Subject to and without waiving the foregoing objections, and after performing a reasonable
17 inquiry and diligent search, Travis responds as follows: See the documents previously produced as
18 TMD_000001 through TMD_000125, TMD_000129 through TMD_000141, PLF000025 through
19 PLF000028, and PLF000069 through PLF000086. Discovery is ongoing and Travis reserves the
20 right to amend or supplement this response.

21 **REQUEST NO. 8:**

22 All DOCUMENTS reflecting any inspections, evaluations, or site visits by governmental
23 agencies or private consultants regarding DISCHARGES, STORM WATER, manure or waste
24 management, or environmental compliance at the FACILITY from July 11, 2019, to the present.

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

26 Travis incorporates his Preliminary Statement and Objections to Instructions and
27 Definitions as if fully set forth herein. Travis further objects that this Request, including but not
28 limited to its stated time period, is overbroad, unduly burdensome, and disproportionate to the

1 needs of the case. Travis further object that this Request seeks documents equally available to or
2 already in the possession, custody or control of Plaintiff, including the Regional Water Board
3 Report already produced in this action. Travis further objects to the terms “inspections,”
4 “evaluations,” “site visits,” “private consultants,” and “environmental compliance” as vague and
5 ambiguous.

6 Subject to and without waiving the foregoing objections, and after performing a reasonable
7 inquiry and diligent search, Travis responds as follows: See the document previously produced as
8 TMD_000129 through TMD_000141. Discovery is ongoing and Travis reserves the right to amend
9 or supplement this response.

10 **REQUEST NO. 9:**

11 All standard operating procedures, management plans, training manuals, or protocols in effect
12 since July 11, 2019, that DESCRIBE manure handling, STORM WATER management, lagoon
13 operation, and DISCHARGE prevention at the FACILITY.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

15 Travis incorporates his Preliminary Statement and Objections to Instructions and
16 Definitions as if fully set forth herein Travis further objects that this Request, including but not
17 limited to its stated time period, is overbroad, unduly burdensome, and disproportionate to the
18 needs of the case. Travis further objects that this Request seeks documents equally available to or
19 already in the possession, custody or control of Plaintiff, including the Nutrient Management Plan
20 and Waste Management Plan already produced in this action. Travis further objects to the terms
21 “standard operating procedures,” “training materials,” “protocols,” and “lagoon management” as
22 vague and ambiguous.

23 Subject to and without waiving the foregoing objections, and after performing a reasonable
24 inquiry and diligent search, Travis responds as follows: See the documents previously produced at
25 TMD_000001 through TMD_000125. Discovery is ongoing and Travis reserves the right to amend
26 or supplement this response.

27 **REQUEST NO. 10:**

28 All DOCUMENTS relating to any application for or consideration of coverage under a

NPDES permit, including any draft or submitted Notices of Intent, requests for termination, or correspondence concerning the applicability of such permits.

RESPONSE TO REQUEST FOR PRODUCTION NO. 10:

Travis incorporates his Preliminary Statement and Objections to Instructions and Definitions as if fully set forth herein. Travis further objects that this Request is overbroad, unduly burdensome, and disproportionate to the needs of the case. Travis further objects to the terms “requests for termination” and “correspondence” as vague and ambiguous.

Subject to and without waiving the foregoing objections, Travis responds as follows: Travis has performed a reasonable inquiry and diligent search and has identified no documents responsive to this Request. Discovery is ongoing and Travis reserves the right to amend or supplement this response.

REQUEST NO. 11:

All weather tracking logs, precipitation forecasts, or other DOCUMENTS used to anticipate storm events or determine application timing for manure or wastewater at the FACILITY.

RESPONSE TO REQUEST FOR PRODUCTION NO. 11:

Travis incorporates his Preliminary Statement and Objections to Instructions and Definitions as if fully set forth herein. Travis further objects that this Request is overbroad, unduly burdensome, and disproportionate to the needs of the case. Travis further objects to the terms “weather tracking logs,” “precipitation forecasts,” and “storm events” as vague and ambiguous.

Subject to and without waiving the foregoing objections, and after performing a reasonable inquiry and diligent search, Travis responds as follows: See the document previously produced as TMD_000020 through TMD_000125. Discovery is ongoing and Travis reserves the right to amend or supplement this response.

REQUEST NO. 12:

All photographs or videos taken at or of the FACILITY from July 11, 2019, to the present that depict retention basins, land application areas, STORM WATER CONVEYANCES, or any water body including the unnamed creek and Laguna Lake.

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RESPONSE TO REQUEST FOR PRODUCTION NO. 12:

Travis incorporates his Preliminary Statement and Objections to Instructions and Definitions as if fully set forth herein. Travis further objects that this Request, including but not limited to its stated time period, is overbroad, unduly burdensome, and disproportionate to the needs of the case. Travis further objects that this Request seeks documents equally available to or already in the possession, custody or control of Plaintiff, including its illegal drone footage of Travis' dairy. Travis further objects to the term "unnamed creek" as vague and ambiguous. Travis further objects to the term "Laguna Lake," which Travis understands refers to an unnamed lagoon/seasonal water basin adjacent to his dairy with a manmade levy.

Subject to and without waiving the foregoing objections, and after performing a reasonable inquiry and diligent search, Travis responds as follows: See the documents previously produced as TMD_000020 through TMD_000125, TMD_000129 through TMD_000141, TMD_000145 through TMD_000169. Discovery is ongoing and Travis reserves the right to amend or supplement this response.

REQUEST NO. 13:

All DOCUMENTS reviewed, referred to, or relied upon in drafting YOUR Answer to the Complaint, including YOUR denials of Paragraphs 51–69, and 73–74.

RESPONSE TO REQUEST FOR PRODUCTION NO. 13:

Travis incorporates his Preliminary Statement and Objections to Instructions and Definitions as if fully set forth herein. Travis further objects that this Request is overbroad, unduly burdensome, and disproportionate to the needs of the case. Travis further objects to this Request as compound, as it includes multiple separate inquiries that should be broken down into distinct Requests. Travis further objects that this Request is duplicative of other Requests, including, but not limited to, Request Nos. 2, 4, 6, 8, 10, 12, and 23–27.

Subject to and without waiving the foregoing objections, and after performing a reasonable inquiry and diligent search, Travis responds as follows: See the documents previously produced as TMD_000020 through TMD_000125, TMD_000129 through TMD_000141, and PLF000025 through PLF000028. Discovery is ongoing and Travis reserves the right to amend or supplement

1 this response.

2 **REQUEST NO. 14:**

3 All liability insurance policies, pollution insurance policies, or other agreements in effect at any
4 time from July 11, 2019, to the present, that may provide coverage for legal defense costs, penalties, or
5 injunctive relief related to this action.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 14:**

7 Travis incorporates his Preliminary Statement and Objections to Instructions and
8 Definitions as if fully set forth herein. Travis further objects that this Request, including but not
9 limited to its stated time period, is irrelevant and overbroad, unduly burdensome, and
10 disproportionate to the needs of the case. Travis further objects to the terms “liability insurance
11 policies,” “pollution insurance policies,” and “other agreements” as vague and ambiguous.

12 Subject to and without waiving the foregoing objections, Travis responds as follows: Travis
13 has performed a reasonable inquiry and diligent search and has identified no documents responsive
14 to this Request. Discovery is ongoing and Travis reserves the right to amend or supplement this
15 response.

16 **REQUEST NO. 15:**

17 Any and all DOCUMENTS setting forth each DEFENDANT’s assets, liabilities and net
18 worth at all times between July 11, 2019 to the present, including but not limited to all real property
19 held by all DEFENDANTS.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 15:**

21 Travis incorporates his Preliminary Statement and Objections to Instructions and
22 Definitions as if fully set forth herein. Travis further objects that this Request, including but not
23 limited to its stated time period, is irrelevant and overbroad, unduly burdensome, and
24 disproportionate to the needs of the case. Travis further objects that documents sufficient to
25 respond to this Request are already in the possession, custody or control of Plaintiff, including
26 documents already produced in this action during the parties’ Settlement Conference before
27 Magistrate Judge Kang.

28 Subject to and without waiving the foregoing objections, and after performing a reasonable

inquiry and diligent search, Travis responds as follows: See the documents already produced, subject to protective order, during the parties' Settlement Conference before Magistrate Judge Kang: TMD-SETTLEMENT_000146 through TMD-SETTLEMENT_000223.

REQUEST NO. 16:

Any and all DOCUMENTS that refer, relate or pertain to each DEFENDANT's income from July 11, 2019 to the present, including but not limited to all statements of annual gross income and annual net income, whether audited or unaudited.

RESPONSE TO REQUEST FOR PRODUCTION NO. 16:

Travis incorporates his Preliminary Statement and Objections to Instructions and Definitions as if fully set forth herein. Travis further objects that this Request, including but not limited to its stated time period, is irrelevant and overbroad, unduly burdensome, and disproportionate to the needs of the case. Travis further objects that documents sufficient to respond to this Request are already in the possession, custody or control of Plaintiff, including documents already produced in this action during the parties' Settlement Conference before Magistrate Judge Kang.

Subject to and without waiving the foregoing objections, and after performing a reasonable inquiry and diligent search, Travis responds as follows: See the documents already produced, subject to protective order, during the parties' Settlement Conference before Magistrate Judge Kang: TMD-SETTLEMENT_000146 through TMD-SETTLEMENT_000223.

REQUEST NO. 17:

All DOCUMENTS comprising each DEFENDANTS's federal income tax returns for all years from 2019 to the present.

RESPONSE TO REQUEST FOR PRODUCTION NO. 17:

Travis incorporates his Preliminary Statement and Objections to Instructions and Definitions as if fully set forth herein. Travis further objects that this Request, including but not limited to its stated time period, is irrelevant and overbroad, unduly burdensome, and disproportionate to the needs of the case. Travis further objects that documents sufficient to respond to this Request are already in the possession, custody or control of Plaintiff, including

1 documents already produced in this action during the parties' Settlement Conference before
2 Magistrate Judge Kang.

3 Subject to and without waiving the foregoing objections, and after performing a reasonable
4 inquiry and diligent search, Travis responds as follows: See the documents already produced,
5 subject to protective order, during the parties' Settlement Conference before Magistrate Judge
6 Kang: TMD-SETTLEMENT_000146 through TMD-SETTLEMENT_000223.

7 **REQUEST NO. 18:**

8 All DOCUMENTS that comprise each DEFENDANT's IRS form 1099s submitted to the IRS
9 for all years from 2019 to the present.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 18:**

11 Travis incorporates his Preliminary Statement and Objections to Instructions and
12 Definitions as if fully set forth herein. Travis further objects that this Request, including but not
13 limited to its stated time period, is irrelevant and overbroad, unduly burdensome, and
14 disproportionate to the needs of the case. Travis further objects that documents sufficient to
15 respond to this Request are already in the possession, custody or control of Plaintiff, including
16 documents already produced in this action during the parties' Settlement Conference before
17 Magistrate Judge Kang.

18 Subject to and without waiving the foregoing objections, and after performing a reasonable
19 inquiry and diligent search, Travis responds as follows: See the documents already produced,
20 subject to protective order, during the parties' Settlement Conference before Magistrate Judge
21 Kang: TMD-SETTLEMENT_000146 through TMD-SETTLEMENT_000223.

22 **REQUEST NO. 19:**

23 All DOCUMENTS that comprise each DEFENDANT's personal or business bank account
24 statements, including all brokerage accounts containing stocks, bonds or retirement fund accounts for
25 all years from 2019 to the present.

26 **RESPONSE TO REQUEST FOR PRODUCTION NO. 19:**

27 Travis incorporates his Preliminary Statement and Objections to Instructions and
28 Definitions as if fully set forth herein. Travis further objects that this Request, including but not

1 limited to its stated time period, is irrelevant and overbroad, unduly burdensome, and
 2 disproportionate to the needs of the case. Travis further objects that and because documents
 3 sufficient to respond to this Request are already in the possession, custody or control of Plaintiff,
 4 including documents already produced in this action during the parties' Settlement Conference
 5 before Magistrate Judge Kang.

6 Subject to and without waiving the foregoing objections, and after performing a reasonable
 7 inquiry and diligent search, Travis responds as follows: See the documents already produced,
 8 subject to protective order, during the parties' Settlement Conference before Magistrate Judge
 9 Kang: TMD-SETTLEMENT_000146 through TMD-SETTLEMENT_000223.

10 **REQUEST NO. 20:**

11 Any and all DOCUMENTS evidencing any DEFENDANT's ownership, in whole or in part, of
 12 real property for all years from 2019 to the present.

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 20:**

14 Travis incorporates his Preliminary Statement and Objections to Instructions and
 15 Definitions as if fully set forth herein. Travis further objects that this Request, including but not
 16 limited to its stated time period, is irrelevant and overbroad, unduly burdensome, and
 17 disproportionate to the needs of the case. Travis further objects that documents sufficient to
 18 respond to this Request are already in the possession, custody or control of Plaintiff, including
 19 documents already produced in this action during the parties' Settlement Conference before
 20 Magistrate Judge Kang.

21 Subject to and without waiving the foregoing objections, and after performing a reasonable
 22 inquiry and diligent search, Travis responds as follows: See the documents already produced,
 23 subject to protective order, during the parties' Settlement Conference before Magistrate Judge
 24 Kang: TMD-SETTLEMENT_000146 through TMD-SETTLEMENT_000223.

25 **REQUEST NO. 21:**

26 Any and all DOCUMENTS evidencing any DEFENDANT's leasehold interest in, in whole or
 27 in part, real property for all years from 2019 to the present.

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RESPONSE TO REQUEST FOR PRODUCTION NO. 21:

Travis incorporates his Preliminary Statement and Objections to Instructions and Definitions as if fully set forth herein. Travis further objects that this Request, including but not limited to its stated time period, is irrelevant and irrelevant and overbroad, unduly burdensome, and disproportionate to the needs of the case. Travis further objects that documents sufficient to respond to this Request are already in the possession, custody or control of Plaintiff, including documents already produced in this action during the parties' Settlement Conference before Magistrate Judge Kang.

Subject to and without waiving the foregoing objections, and after performing a reasonable inquiry and diligent search, Travis responds as follows: See the documents already produced, subject to protective order, during the parties' Settlement Conference before Magistrate Judge Kang: TMD-SETTLEMENT_000146 through TMD-SETTLEMENT_000223.

REQUEST NO. 22:

All DOCUMENTS reflecting or relating to communications between YOU and KYLE LUTZ of WESTERN UNITED DAIRIES that refer or relate to the CLEAN WATER ACT, NPDES permitting, manure management, lagoon capacity, STORM WATER management, DISCHARGES, or the FACILITY.

RESPONSE TO REQUEST FOR PRODUCTION NO. 22:

Travis incorporates his Preliminary Statement and Objections to Instructions and Definitions as if fully set forth herein. Travis further objects that this Request is overbroad, unduly burdensome, and disproportionate to the needs of the case. Travis further objects that this Request as premature expert discovery. Travis further objects to this Request to the extent it seeks documents protected by attorney-client privilege and/or the work product doctrine.

Subject to and without waiving the foregoing objections, Travis responds as follows: See the Declaration of Kyle Lutz (ECF No 38-3). Travis will further respond to expert discovery at the appropriate time during the expert discovery phase of this action.

REQUEST NO. 23:

All DOCUMENTS provided to, received from, or shared with KYLE LUTZ or WESTERN

1 UNITED DAIRIES concerning the FACILITY's regulatory compliance, including but not limited to
2 compliance with the CLEAN WATER ACT, the GENERAL PERMIT, or any state-issued waste
3 discharge requirements.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 23:**

5 Travis incorporates his Preliminary Statement and Objections to Instructions and
6 Definitions as if fully set forth herein. Travis further objects that this Request is overbroad, unduly
7 burdensome, and disproportionate to the needs of the case. Travis further objects to this Request
8 to the extent it seeks documents protected by attorney-client privilege and/or the work product
9 doctrine. Travis further objects to the terms "regulatory compliance" and "state-issued waste
10 discharge requirements" as vague and ambiguous.

11 Subject to and without waiving the foregoing objections, Travis responds as follows: See
12 the Declaration of Kyle Lutz (ECF No 38-3). Travis will further respond to expert discovery at
13 the appropriate time during the expert discovery phase of this action.

14 **REQUEST NO. 24:**

15 All DOCUMENTS reflecting any site visits, evaluations, or technical assistance provided by
16 KYLE LUTZ or WESTERN UNITED DAIRIES at or concerning the FACILITY since January 1,
17 2019.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 24:**

19 Travis incorporates his Preliminary Statement and Objections to Instructions and
20 Definitions as if fully set forth herein. Travis further objects that this Request, including but not
21 limited to its stated time period, is overbroad, unduly burdensome, and disproportionate to the
22 needs of the case. Travis further objects that this Request as premature expert discovery. Travis
23 further objects to this Request to the extent it seeks documents protected by attorney-client
24 privilege and/or the work product doctrine. Travis further objects to the terms "site visits,"
25 "evaluations," and "technical assistance" as vague and ambiguous.

26 Subject to and without waiving the foregoing objections, Travis responds as follows: See
27 the Declaration of Kyle Lutz (ECF No 38-3). Travis will further respond to expert discovery at
28 the appropriate time during the expert discovery phase of this action.

REQUEST NO. 25:

All DOCUMENTS reflecting any advice, opinions, recommendations, or assessments offered by KYLE LUTZ or WESTERN UNITED DAIRIES concerning whether YOU are required to obtain a NPDES permit, comply with the GENERAL PERMIT, or take any action to prevent DISCHARGES from the FACILITY.

RESPONSE TO REQUEST FOR PRODUCTION NO. 25:

Travis incorporates his Preliminary Statement and Objections to Instructions and Definitions as if fully set forth herein. Travis further objects that this Request is overbroad, unduly burdensome, and disproportionate to the needs of the case. Travis further objects that this Request as premature expert discovery. Travis further objects to this Request to the extent it seeks documents protected by attorney-client privilege and/or the work product doctrine.

Subject to and without waiving the foregoing objections, Travis responds as follows: See the Declaration of Kyle Lutz (ECF No 38-3). Travis will further respond to expert discovery at the appropriate time during the expert discovery phase of this action.

REQUEST NO. 26:

All DOCUMENTS reviewed, referred to, or relied upon by YOU in communications with KYLE LUTZ or WESTERN UNITED DAIRIES relating to the subject matter of this action, including YOUR asserted compliance with the CLEAN WATER ACT and YOUR denial of the allegations in the Complaint.

RESPONSE TO REQUEST FOR PRODUCTION NO. 26:

Travis incorporates his Preliminary Statement and Objections to Instructions and Definitions as if fully set forth herein. Travis further objects that this Request is overbroad, unduly burdensome, and disproportionate to the needs of the case. Travis further objects that this Request as premature expert discovery. Travis further objects to this Request to the extent it seeks documents protected by attorney-client privilege and/or the work product doctrine.

Subject to and without waiving the foregoing objections, Travis responds as follows: See the Declaration of Kyle Lutz (ECF No 38-3). Travis will further respond to expert discovery at the appropriate time during the expert discovery phase of this action.

REQUEST NO. 27:

Produce all DOCUMENTS relating to any modifications made during the RELEVANT TIME PERIOD to the FACILITY's liquid waste storage or conveyance system, including but not limited to modifications to lagoons, retention basins, pumps, piping, or other infrastructure used to store or transport liquid manure, process wastewater, or storm water. This request includes, but is not limited to:

- a. Engineering plans, diagrams, or specifications;
- b. Construction records or as-built drawings;
- c. Communications with consultants, contractors, or regulatory agencies;
- d. Permits, permit applications, or notices submitted to any governmental agency;
- e. Internal memoranda, meeting notes, or reports regarding the need for or effect of the modifications;
- f. Any DOCUMENTS referencing or analyzing the FACILITY's ability to retain or manage waste or runoff from a 25-year, 24-hour storm event before or after such modifications

RESPONSE TO REQUEST FOR PRODUCTION NO. 27:

Travis incorporates his Preliminary Statement and Objections to Instructions and Definitions as if fully set forth herein. Travis further objects that this Request is overbroad, unduly burdensome, and disproportionate to the needs of the case. Travis further objects to this Request as compound, as it includes multiple separate inquiries that should be broken down into distinct Requests.

Subject to and without waiving the foregoing objections, and after performing a reasonable inquiry and diligent search, Travis responds as follows: See the documents previously produced as TMD_000001 through TMD_000141, TMD_000145 through TMD_000169, and PLF000025 through PLF000028. Discovery is ongoing and Travis reserves the right to amend or supplement this response.

Dated: November 21, 2025

KING & SPALDING LLP

By: 

Alexander Moore

Attorneys for Defendants

Travis Moreda Dairy and Travis Moreda

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PROOF OF SERVICE

I am a citizen of the United States, over 18 years of age, and not a party to the within action. I am employed by the law firm of King & Spalding LLP. My business address is 621 Capitol Mall, Suite 1500, Sacramento, CA 95814.

On the date specified below, I served the within:

**DEFENDANTS' RESPONSES TO PLAINTIFF'S REQUESTS FOR PRODUCTION,
SET ONE**

on the parties in this proceeding, as addressed below, by causing true copies thereof to be distributed as follows:

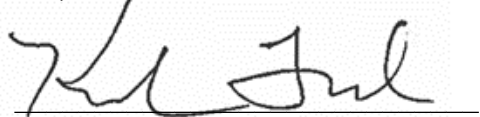
Law Office of William Carlon
437 Post Street
Napa, CA 94559
william@carlonlaw.com; wverick@igc.org; brian@brianacree.com; dhwill7@gmail.com

[X] BY MAIL: I am readily familiar with the business practice for the collection and processing of correspondence for mailing with the United States Postal Service and the fact that the correspondence would be deposited with the United States Postal Service that same day in the ordinary course of business; on this date, the above-referenced correspondence was placed for deposit at Los Angeles, California, and placed for collection and mailing following ordinary business practices.

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I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on November 21, 2025, at Sacramento, California.


Kendra Ford